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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SUTHAR, RISHI S

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/815,266	CHAN, YET	
	Examiner	Art Unit	
	Rishi Suthar	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 24-36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 37-51 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20040712</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I (claims 1-23 and 37-51) in the reply filed on 17 October 2005 is acknowledged.

The restriction requirement is made FINAL.

Claim Objections

2. Claim 13 recites the limitation "the main casing" in line 1 on page 30. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 22 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 22 and 23 recite the limitation "at least about" on line 2 of each claim on page 31. The wording is indefinite because it is unclear if "at least about" can include numbers below the specified value.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-16, 21 and 37-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Leung (U.S. Patent No. 6,233,401).

Per claim 1, Leung teaches in Fig. 1 and 2 a main body (12) supporting a taking lens (not shown) and a closable exposure aperture (6), the main body defining a cartridge chamber (8) and a film chamber (10) disposed on opposite sides of the exposure aperture, the film chamber being defined at an upper end by an upper wall of the main body and at a lower end by an endcap assembly (26) shown in Fig. 3, wherein the film chamber is sized to selectively receive one of a roll of film and a secondary cassette housing a roll of film light-tightly therein (col. 6, lines 25-26); the endcap assembly including a shutter support plate (26) with an aperture (27) extending therethrough, the endcap assembly further including a shutter blade (38) movably mounted on the shutter support plate, wherein the shutter blade is movable between a first position, in which the aperture is substantially closed, and a second position, in which the aperture is substantially unobstructed, whereby a shaft can pass through the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 6); and a back cover (14) in Fig. 7 operatively engaging the main body to enclose the chambers light-tightly therein.

Per claim 2, Leung teaches that the endcap assembly further includes a second shutter support plate (28) with an aperture (29) extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5).

Per claim 3, Leung teaches that the shutter blade is disposed between the two shutter support plates such that in the first position, both apertures are substantially closed, and in the second position, both apertures are substantially unobstructed.

Per claim 4, Leung teaches that the endcap assembly further includes a spring (46) for biasing the shutter blade into the first position.

Per claim 5, Leung teaches that at least one portion of one of the shutter plates is formed with the main body (col. 2, lines 46-50).

Per claim 6, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber, wherein at least a portion (apertured member) of one of the shutter support plates of the endcap assembly is formed with the back cover (14).

Per claim 7, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5), wherein one of the shutter support plates of the endcap assembly is made of at least two pieces, wherein one piece is formed with the main body (12) and another piece is formed with the back cover (14), whereby when the back cover is in the closed position, the first and second piece engage to form one of the shutter support plates.

Per claim 8, Leung teaches the endcap assembly further includes a spring for biasing the shutter blade into the first position.

Per claim 9, Leung teaches that shutter support plate of the endcap assembly includes a collar (31) substantially peripherally surrounding the aperture in the shutter support plate and extending therefrom.

Per claim 10, Leung teaches at least a portion of the shutter support plate of the endcap is formed with the main body (col. 2, lines 46-50).

Per claim 11, Leung teaches at least a portion of the shutter support plate of the endcap assembly is formed with the back cover (14).

Per claim 12, Leung teaches in Fig. 2 that the endcap assembly is removably mounted on the main body (by using claws 52, 54).

Per claim 13, Leung teaches in Fig. 2 that the main casing provides a cradle at the lower end of the film chamber on which the endcap assembly is mounted (col. 6, lines 14-19).

Per claim 14, Leung teaches the cartridge chamber is sized to selectively receive one of a 35 millimeter film cartridge and a primary cassette of a DCS film system, since it is well known that the primary cassette of a DCS film system is a 35 millimeter film cartridge.

Per claim 15, Leung teaches in Fig. 7 that the camera includes one of a 35 millimeter film cartridge (9) and a primary cartridge of a DCS film system disposed in the cartridge chamber, the cartridge containing at least one end of a roll of film (11) light-tightly therein.

Per claim 16, Leung teaches in Fig. 7 at least a portion of the film extending from the 35 millimeter film cartridge is wound in a roll in the film chamber.

Per claim 21, Leung teaches in Fig. 1 that the upper wall (in chamber 10) and in Fig. 4 the inner face of the endcap assembly (26) of the film chamber are substantially smooth.

Per claim 37, Leung teaches in Fig. 1 and 2 a camera comprising: a main body (12) supporting a taking lens (not shown) and a closeable exposure aperture (6); the main body defining a cartridge chamber (8) and a film chamber (10) disposed on opposite sides of the exposure aperture, the film chamber being defined at an upper end by an upper wall of the main body and at a lower end by an endcap assembly (26), wherein the upper wall defines an upper plane and an inner face of the endcap

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assembly defines a lower plane, wherein the upper and lower planes are spaced from about 36.7 millimeters to about 37.7 millimeters apart, since 35 millimeter cartridges are about 36.7 millimeters to about 37.7 meters in length; the endcap assembly including a shutter support plate (26) with an aperture (27) extending therethrough, the endcap assembly further including a shutter blade (38) movably mounted on the shutter support plate, wherein the shutter blade is movable between a first position, in which the aperture is substantially closed, and a second position, in which the aperture is substantially unobstructed, whereby a shaft can pass through the endcap assembly and into the film chamber for winding of film in the film chamber (Fig. 6); and a back cover (14) in Fig. 7 operatively engaging the main body to enclose the chambers light-tightly therein.

Per claim 38, Leung teaches that the endcap assembly further includes a second shutter support plate (28) with an aperture (29) extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5).

Per claim 39, Leung teaches that the shutter blade is disposed between the two shutter support plates such that in the first position, both apertures are substantially closed, and in the second position, both apertures are substantially unobstructed.

Per claim 40, Leung teaches that the endcap assembly further includes a spring (46) for biasing the shutter blade into the first position.

Per claim 41, Leung teaches that at least one portion of one of the shutter plates is formed with the main body (col. 2, lines 46-50).

Per claim 42, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber, wherein at least a portion (apertured member) of one of the shutter support plates of the endcap assembly is formed with the back cover (14).

Per claim 43, Leung teaches in Fig. 7 that the endcap assembly further includes a second shutter support plate (12, 14) with an aperture extending therethrough, the apertures in the shutter support plate and the second shutter support plate being substantially aligned, whereby a shaft can pass simultaneously through the apertures in both shutter support plates of the endcap assembly and into the film chamber for winding of film into the film chamber (Fig. 5), wherein one of the shutter support plates of the endcap assembly is made of at least two pieces, wherein one piece is formed with the main body (12) and another piece is formed with the back cover (14), whereby when the back cover is in the closed position, the first and second piece engage to form one of the shutter support plates.

Per claim 44, Leung teaches the endcap assembly further includes a spring for biasing the shutter blade into the first position.

Per claim 45, Leung teaches that shutter support plate of the endcap assembly includes a collar (31) substantially peripherally surrounding the aperture in the shutter support plate and extending therefrom.

Per claim 46, Leung teaches at least a portion of the shutter support plate of the endcap is formed with the main body (col. 2, lines 46-50).

Per claim 47, Leung teaches at least a portion of the shutter support plate of the endcap assembly is formed with the back cover (14).

Per claim 48, Leung teaches in Fig. 2 that the endcap assembly is removably mounted on the main body (by using claws 52, 54).

Per claim 49, Leung teaches in Fig. 2 that the main casing provides a cradle at the lower end of the film chamber on which the endcap assembly is mounted (col. 6, lines 14-19).

Per claim 50, Leung teaches in Fig. 1 that the upper wall (in chamber 10) and in Fig. 4 the inner face of the endcap assembly (26) of the film chamber are substantially smooth.

Per claim 51, Leung teaches in a camera having a main body supporting a taking lens and a closeable exposure aperture, the main body defining a cartridge chamber and a film chamber disposed on opposite sides of the exposure aperture, the film chamber being defined at an upper end by an upper wall of the main body and at a lower end by an endcap assembly having a movable shutter blade mounted to a shutter support plate having a closeable aperture, and a back cover operatively engaging the main casing to enclose the chambers light-tightly therein, the improvement comprising:

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the film chamber (10) being sized between the upper wall and the endcap assembly to selectively receive one of a roll-of film and a secondary cassette housing a roll of film light-tightly therein (col. 6, lines 25-26).

7. Claims 22 and 23 as understood are rejected under 35 U.S.C. 102(b) as being anticipated by Leung (U.S. Patent No. 6,233,401).

Per claim 22, Leung teaches that the upper wall and the inner face of the endcap assembly of the film chamber each define a plane, where the planes are spaced at least 36.7 millimeters apart, since 35 millimeter cartridges are at least 36.7 millimeters in length.

Per claim 23, Leung teaches that the upper wall and the inner face of the endcap assembly of the film chamber each define a plane, where the planes are spaced at least 35.2 millimeters apart, since 35 millimeter cartridges are at least 35.2 millimeters in length.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung (U.S. Patent No. 6,233,401) in view of Chan (U.S. Patent No. 6,427,050).

Leung teaches the invention as claimed in claim 16 above. Per claim 17, Leung does not expressly disclose that the roll is housed light-tightly within a secondary cassette. Per claim 18, Leung does not expressly disclose that a lower side of the secondary cassette contacts the endcap assembly of the film chamber. Per claim 19, Leung does not expressly disclose that a lower side of the secondary cassette is substantially adjacent to the endcap assembly of the film chamber. Per claim 20, Leung does not expressly disclose that the secondary cassette is spaced from the endcap assembly of the film chamber. Chan discloses a secondary cassette connected to an endcap assembly including an aperture and a movable shutter for winding and rewinding film. Per claim 17, Chan teaches a roll of film housed light tightly in a secondary cassette. Per claim 18, Chan teaches a lower side of the secondary cassette contacts the endcap assembly. Per claim 19, Chan teaches a lower side of the secondary cassette is substantially adjacent to the endcap assembly. Per claim 20, Chan teaches the secondary cassette and endcap assembly are spaced. It would be obvious to one of ordinary skill in the art at the time the invention was made to install a secondary cassette including an endcap as taught by Chan in the camera of Leung since the cassette and endcap assembly taught by Chan is one of the possible forms that the cassette would take in the final stages of manufacturing a film cartridge.

Conclusion


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chan (U.S. Patent Application Publication No. 2002/0044775) discloses a film assembly for a camera using a primary and secondary cassette.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rishi Suthar whose telephone number is 571-272-8456. The examiner can normally be reached on M-F 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rishi Suthar
Examiner
Art Unit 2851


Michael Tokar
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RS